IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Writ Petition No.1346 OF 2007.

Arif Abdul Kadar Majoriya ..Petitioner

versus

The State of Maharashtra ..Respondent.

Smt.Anjali Patil for the Petitioner

Mr.V.B.Konde Deshmukh, APP for the Respondent

Coram : R.M.S.Khandeparkar & S.R.Sathe, JJ.
Dated : 27th August, 2007

P.C.

1. It is well settled law that whether sufficient case has been made out for conviction of the accused or not, cannot be considered at the time of challenging to the FIR, nor the accused-petitioner is entitled to lead any evidence as such to seek quashing of FIR. In case the accused person feels aggrieved, he is entitled to raise objection at the time of framing of the charge. However, once the FIR discloses cognizable offence to have been committed by the person named as accused, the question of quashing of FIR does not arise. In the case in hand, undisputedly the FIR discloses comission of cognizable offence. Hence,

there is no case made out for quashing the same. The petition therefore is rejected.

(R.M.S.Khandeparkar, J.)

(S.R.Sathe, J.)